

LOWENSTEIN, SANDLER, BROCHIN, KOHL & FISHER

ALAN V. LOWENSTEIN  
RICHARD M. SANDLER  
MURRY D. BROCHIN  
BENEDICT M. KOHL  
ARNOLD FISHER  
JOSEPH LEVOW STEINBERG  
MATTHEW P. BOYLAN  
BRUCE D. SHOULSON  
JOHN R. MACKAY 249  
MURRAY J. LAULICHT  
ARCHIBALD S. ALEXANDER, JR.  
MARTIN R. GOODMAN  
JOHN D. SCHUPPER  
STEPHEN N. DERMER

WILLIAM T. KNOX IV  
MICHAEL L. RODBURG  
ALLEN B. LEVITHAN  
R. BARRY STIGER  
GREGORY B. REILLY  
DAVID W. MILLS  
MELVIN GREENBERG  
PETER H. EHRENEBERG  
BARBARA BYRD WECKER  
ALLAN G. TRAPUNSKY  
LEWIS J. PAPER  
STANLEY A. EPSTEIN  
FRANCO GARCIA  
RONALD H. JANIS

744 BROAD STREET  
NEWARK, N.J. 07102

Executive Registry  
26-5293

TELEPHONE  
201 624-4600

September 20, 1976

OGC Has Reviewed

Honorable Barrington D. Parker  
United States District Court  
For the District of Columbia  
United States Court House  
Fourth and Constitution Avenues, N.W.  
Washington, D.C. 20001

Re: Sam and Juene Jaffe vs. Central  
Intelligence Agency, and Department  
of Justice, Civil Action No. 76-1394

Dear Judge Parker:

This letter concerns the government's opposition to plaintiffs' motion that defendants provide a detailed indexing, itemization, and justification as required by Vaughn vs. Rosen, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974). I received defendant's opposition on or about September 10, 1976, and, because of my involvement in a trial, have not been able to respond until now.

In its opposition, the government admits that plaintiffs are entitled to additional information. The government adds that such additional information will be supplied by affidavits to be filed by November 8, 1976. In this light, it is difficult to understand why the government resists plaintiffs' Vaughn motion; indeed, it would expedite matters if the additional information to be supplied by the government could be set forth in a form that would satisfy the Vaughn requirements.

Hon. Barrington D. Parker  
Page Two

September 20, 1976

In any event, the government's concession that plaintiffs are entitled to and will receive additional information hardly forms a basis on which to deny plaintiffs' Vaughn motion. For if the additional information supplied is insufficient to meet the Vaughn standard, then plaintiffs will only have to renew the motion. In other words, at most, the government's response provides a basis only for deferring a ruling on plaintiffs' Vaughn motion until an evaluation can be made of the additional information to be supplied on November 8, 1976.

Respectfully yours,

15/  
Lewis J. Paper,  
Attorney for Plaintiffs

LJP/pac

cc: Lawrence Bennett, Esq.  
Hon. Edward Levi  
Hon. George Bush

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SECRET

## EXECUTIVE SECRETARIAT

## Routing Slip

TO:

		ACTION	INFO	DATE	INITIAL
1	DCI				
2	DDCI				
3	D/DCI/IC				
4	DDS&T				
5	DDI				
6	DDA				
7	DDO				
8	D/DCI/NI				
9	GC	✓			
10	LC				
11	IG				
12	Compt				
13	D/Pers				
14	D/S				
15	DTR				
16	Asst/DCI				
17	AO/DCI				
18	C/IPS				
19	DCI/SS				
20	c/ci/ooo	✓			
21					
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SUSPENSE

Date

Remarks:

3637 (7-76)

Executive Secretary

2254-  
DateEXECUTIVE SECRETARIAT REC'D. T. H. file #49